

Decision **DRAFT DECISION OF COMMISSIONER WOOD** (Mailed 7/9/2002)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking into the operation of interruptible load programs offered by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company and the effect of these programs on energy prices, other demand responsiveness programs, and the reliability of the electric system.

Rulemaking 00-10-002
(Filed October 5, 2000)

**INTERIM OPINION
DENYING PETITION FOR MODIFICATION
OF DECISION 01-09-020**

On February 20, 2002, Dr. Lee R. Walker filed a petition for modification of Decision (D.) 01-09-020. Petitioner seeks status as an essential customer in Category M (normally exempt from rotating outages).

Petitioner presents the same arguments in support of his petition that he presented in an application for rehearing. The rehearing request was denied in January 2002. (D.02-01-065.) Petitioner presents nothing new that would justify a different outcome. As we are not persuaded to modify D.01-09-020, we summarily deny the petition. (Rule 47(h) of the Commission's Rules of Practice and Procedure.)

Comments on Draft Decision

On July 9, 2002, the draft decision of Commissioner Wood in this matter was filed and served on parties (Category M service list) in accordance with

Section 311 of the Public Utilities Code and Article 19 of the Commission's Rules of Practice and Procedure. The draft decision was also served by electronic mail on parties with electronic mail addresses.

Comments were filed on _____, 2002 by _____. Reply comments were filed on _____, 2002 by _____.

Findings of Fact

1. Petitioner presents the same arguments in support of his petition that petitioner presented in support of an unsuccessful application for rehearing.
2. Petitioner presents nothing new that would justify a different outcome.

Conclusions of Law

1. The petition for modification should be denied.
2. This order should be effective today to provide certainty regarding essential customer status.

INTERIM ORDER

IT IS ORDERED that the February 20, 2002 petition for modification of Decision 01-09-020 filed by Dr. Lee R. Walker is denied. This proceeding remains open to address a petition for modification of Decision 02-04-060 (regarding the bill limiter of Southern California Edison Company).

This order is effective today.

Dated _____, 2002 at San Francisco, California.